

# Notice of Allowability

Application No.

10/071,409

Examiner

Sameer K. Gokhale

Applicant(s)

NEAL, GREG

Art Unit

2673

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/08/2002.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date Attached hereto.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael J. Ferrazano on September 22, 2005.

2. The application has been amended as follows:

In the claim:

Claim 4, line 3, replace "initialing" with "initializing".

Claim 8, line 3, replace "initialing" with "initializing".

### ***Information Disclosure Statement***

3. The information disclosure statements submitted on 10/4/04, 10/20/04, 10/25/04, 1/26/05, and 4/18/05 have been considered by the examiner. It is noted to applicant that several references are crossed on the information disclosure statements because they are cited at least twice.

### **REASONS FOR ALLOWANCE**

4. Claims 1-17 are allowed.

The following is an examiner's statement of reasons for allowance:

5. Relative to independent claim 1 and independent claim 5, the major difference between the teaching of the prior art of record (Jennes et. al., US 5,717,469 and

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Neugebauer et. al., US 6,473,131) and the instant invention is that the said prior art does not teach "measuring a transition zone for each of the plurality of found features for each of the range of Htotal" (see lines 10-11 of claim 1 and lines 8-9 of claim 5), "determining the narrowest transition zone of the plurality of transition zones" (see lines 12-13 of claim 1 and lines 9-10 of claim 5), and "associating a particular one of the range of Htotal corresponding to the narrowest transition zone to the synchronizing horizontal resolution" (see lines 14-16 of claim 1 and lines 11-12 of claim 5).

Relative to independent claim 11, the major difference between the teaching of the prior art of record (Jennes et. al., US 5,717,469) and the instant invention is that the said prior art does not teach "a transition zone generator unit coupled to the feature finder unit arranged to generate a transition zone associated with the found feature based upon the estimated synchronizing resolution" (see lines 11-13 of claim 11), and a "minimum transition zone evaluator unit coupled to the transition zone detector for evaluating a minimum transition zone corresponding to the synchronizing resolution" (see lines 15-17 of claim 11).

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sameer K. Gokhale whose telephone number is (571) 272-5553. The examiner can normally be reached on M-F 8:00 AM - 4:30 PM.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on (571) 272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SKG  
September 22, 2005

Sameer Gokhale  
Examiner  
Art Unit: 2673

  
**JIMMY NGUYEN**  
**PRIMARY EXAMINER**